



A Chapter of the American Planning Association

February 12, 2008

Honorable Senator VanWoerkom
Michigan Senate
605 Farnum Building
Lansing, MI 48913

Honorable Senator VanWoerkom and members of the Senate Local, State, and Urban Affairs Committee:

The Michigan Association of Planning strongly supports HB 5032, corrective amendments necessary to address outstanding issues with the Michigan Zoning Enabling Act, PA 110 of 2006.

Throughout 2005 and until its passage in the spring of 2006, a widely representative stakeholder work group convened regularly to come to consensus on the unification of the State's three zoning enabling acts. This consensus driven group included the Michigan Association of Planning, the Michigan Townships Association, the Michigan Municipal League, the homebuilders and realtors, and state agency representatives.

Prior to the passage of PA 110, there were three zoning enabling acts (city/village, township and county.) Unification of the three acts into a single act is critically important to all units of local government as they deal daily with using zoning to create economically viable, healthy, and quality communities.

HB 5032 seeks to rectify a number of issues that came to light after the enactment of PA 110 in July 2006. Post enactment corrective amendments are common in bills of this length and magnitude.

MAP, the MML and the MTA received many comments from our members immediately following the enactment of PA 110, and HB 5032 seeks to address these issues. It should be noted that the overwhelming bulk of comments/questions/concerns that came in the first 3 months after PA 110 of 2006 passed, ultimately went back to provisions in local zoning ordinances that had been in violation of the zoning enabling acts for many years (largely since the amendments of 1978). In other words people were objecting to what they thought were statutory changes, but weren't—those changes were put in law decades ago.

As with the other stakeholders, MAP is concerned about the house floor amendment which removed the newspaper notice requirement and replaced it with confusing language

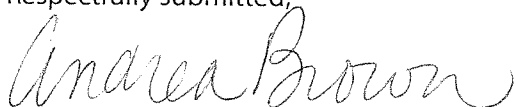
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referring to notice being consistent with state law. This amendment creates significant confusion for local government. We strongly support Senator Birkholz' amendment that returns the language to the original as passed in PA 110.

Thank you for taking up this important bill; the modifications to PA 110 will address the few remaining concerns with this statute.

Respectfully submitted,

A handwritten signature in cursive script that reads "Andrea Brown". The signature is written in dark ink and is positioned below the text "Respectfully submitted,".

Andrea Brown, AICP
Executive Director